IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.49310 of 2008
RAMDEO MANDAL
Versus
THE STATE OF BIHAR

2/ 16/12/2008. Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends arrest in a police case under Sections- 302, 307, 341 and 447of I.P.C.

The submission is that co-accused Chhutaharu Mandal alone committed the overt act of setting the informant afire when she was deceased one week later. Subsequently, the husband of the deceased made a statement that her clothes caught fire accidentally while cooking.

That the petitioner was not an assailant with overt act, but simply a bystander is an aspect to be appropriately considered while considering his prayer for regular bail by the court below, in accordance with law, without being prejudiced by the present order.

The application is rejected.

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KC **(Navin Sinha, J.)**